

Applicant : Mark Christopher Doyle
Appl. No. : 10/623,311
Examiner : Manuel A. Mendez
Docket No. : 706747.4007

Remarks

Applicant encloses herewith the foreign patents cited in his Information Disclosure Statement (PTO/SB/08a) submitted October 22, 2003 (filed October 27, 2003).

Obviousness-Type Double Patenting Rejection

The Examiner rejected claims 25-64 as being unpatentable over claims 1-28 of U.S. Patent No. 6,613,022 ("022 patent") under the judicially created doctrine of obviousness-type double patenting.

Applicant has filed a terminal disclaimer in compliance with 37 C.F.R. 1.321(c), thereby overcoming the rejection. Because no rejections remain, the applicant respectfully submits that the application is in condition for allowance.

Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: March 8, 2005

By: 

Samuel B. Stone
Reg. No. 19,297

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
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Fee Calculation: TOTAL AMOUNT OF PAYMENT: \$ 65.00

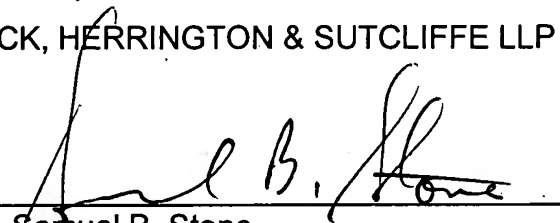
- A. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 15-0665.
☒ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 15-0665.
B. ☐ Payment Enclosed
☐ Check ☐ Credit Card ☐ Money Order ☐ Other

Total Claims	10	-	20	=	0	x	\$50.00	\$0.00
Independent Claims	1	-	3	=	0	x	\$200.00	\$0.00
Application Size Fee ((\$250 for each additional 50 sheets or fraction thereof))	63	-	100	=	0	x	250.00	\$0.00
Multiple Dependent Claims	\$360	(if applicable)	<input type="checkbox"/>					\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)	<input checked="" type="checkbox"/>					\$0.00
Terminal Disclaimer								\$130.00
TOTAL OF ABOVE CALCULATIONS								\$130.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. <input checked="" type="checkbox"/>								\$65.00
Extension of Time (from above)								\$0.00
Assignment -- \$40 (if applicable)			<input type="checkbox"/>					\$0.00
TOTAL FEES SUBMITTED HEREWITH								\$65.00

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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